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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,464	03/12/2004	Kyoung Ro Yoon	3449-0312PUS1	7735
2292 7590 11/28/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
KHAN, ASHER R				
ART UNIT		PAPER NUMBER		
2621				
NOTIFICATION DATE		DELIVERY MODE		
11/28/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

### Office Action Summary

**Application No.**

10/798,464

**Applicant(s)**

YOON ET AL.

**Examiner**

ASHER KHAN

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2, 4, 6, 9-14 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 11-14 and 24-27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 7/24/2008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

### *Allowable Subject Matter*

2. Claims 11-14 and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. **Second drag and play section** is not described in the specification. Second drag and play section is assumed to be the window section as described in Fig. 5.
5. Claims 4 and 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Asymmetric window in this embodiment does not extend in one direction in fig. 5.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**7. Claims 2, 4, 6, 9-10, 21-23 are rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent Pub. 2001/0053277 A1 to Jun et al. "Jun"**

As to claim 2, Jun discloses a video reproducing method, comprising the steps of:

selecting a first movement location (Shot unit or scene unit is a way of selecting a resume position with in a window) in a video stream according to a request for a drag and play (0059-0063)

setting up, with reference to the first movement location (Shot unit or Scene unit), a window (Fig. 5, beginning of scene i-2 to end of scene i) designating a predetermined second drag and play section, the window having a width that is asymmetric around the first movement location (when you select shot c or d the window is asymmetric around the shot);

selecting one of a plurality of candidate locations as a second movement location, the

plurality of candidate locations existing within the window (plurality of second movement location are scene a, scene b, shot c or shot d;0059-0063); and performing a reproduction from the second movement location in response to a reproduction request (Selecting a point between a,b, c or d; 0061).

As to claims 4 and 22, Jun further discloses, wherein the asymmetric window only extends in one direction from the first movement location, the one direction being a same direction as a direction of the drag and play request (first movement location is chosen to be shot i-j in the end of Fig. 5).

As to claims 6 and 23, Jun further discloses, wherein the asymmetric window includes a first and second subwindow, the first subwindow extends in a first direction from the first movement location (Fig. 5,beginning of scene i-2 to shot c), the first direction being a same direction as a direction of the drag and play request, the second subwindow extends in a second direction from the first movement location (Fig. 5, From the end of shot c to the end of scene i), the second direction being a direction opposite to the direction of the drag and play request, and the first subwindow is larger than the second subwindow (first sub window is larger than the second window).

As to claim 9, Jun further discloses wherein the plurality of candidate locations are change locations of semantic/structural information existing within the window (Fig. 5).

As to claim 10, Jun further discloses, wherein the plurality of candidate locations are locations determined at the first movement location by an intelligent skip (Abstract; Fig. 7, locations a, b c or d can be chosen as the skip locations to be skipped to).

As to claim 21, Jun discloses a video reproducing apparatus, comprising: an input device configured to input a drag and play command (0046); a control device configured to select a first movement location (Shot unit or scene unit is a way of selecting a resume position with in a window) in a video stream according to a request for a drag and play (0059-0063) set up, with reference to the first movement location (Shot unit or Scene unit), a window (Fig. 5, beginning of scene i-2 to end of scene i) designating a predetermined second drag and play section, the window having a width that is asymmetric around the first movement location (when you select shot c or d the window is asymmetric around the shot); select one of a plurality of candidate locations as a second movement location, the plurality of candidate locations existing within the window (plurality of second movement location are scene a, scene b, shot c or shot d;0059-0063); and control a reproduction from the second movement location in response to a reproduction request (Selecting a point between a, b, c or d; 0061). a media storage device configured to store video streams to be provided according to a request of the control device (Fig. 1, 410;0045) ; and an index storage device (index structure; 500) configured to store semantic/structural information or shot information to be provided according to a request of the control device (Fig. 1; 0045).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHER KHAN whose telephone number is (571)270-5203. The examiner can normally be reached on 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks- Harold can be reached on (571)272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621  
/A. K./  
Examiner, Art Unit 2621